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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: DN2000012 (1065.0140)

Anticipated Classification: 0156

Class: 0156

Subclass: 415

Prior Application: TIRE BELT FOLDING DRUM

Examiner: Geoffrey Knable

Group Art Unit: 1733

Commissioner of Patents
and Trademarks
Washington, DC 20231

RULE 1.60 TRANSMITTAL LETTER

Dear Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.60, of pending prior application Serial No. 09/510,779, filed on February 23, 2000 for Douglas Raymond Weaver and Joseph Anthony Farelli for **TIRE BELT FOLDING DRUM**.

1. ☒ Enclosed is a complete copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy. (See 8 and 9 for drawing requirements.)
2. The Applicant is not of Small Entity Status
3. **Fee Calculation (37 CFR 1.16)**
A. X Regular application



10029722 123101



CLAIMS AS FILED

Number filed	Number Extra	Rate	Basic Fee
4			\$740.00

Total

Claims 37 CFR 1.16(c) 10-20= -10 X \$22.00 \$ 0.00

Independent

Claims (37 CFR 1.16(b)) 1 -3= X \$80.00 \$ 0.00

Multiple dependent claim(s), if any

(37 CFR 1.16(d)) \$260.00 \$ 0.00

☒ Amendment canceling extra claims enclosed.

☐ Amendment deleting multiple-dependencies enclosed.

☐ Fee for extra claims is not being paid at this time.

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims canceled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 CFR 1.16(d).

B. ☐ Design application

10039723 " 22/52001
FOFE21" 22/52001

(\$220.00--37 CFR 1.16(f))

Filing Fee Calculation\$ _____

C. _____ Plant application

(\$325.00--37 CFR 1.16(g))

Filing Fee Calculation\$ _____

4. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 07-1725 A duplicate copy of this sheet is enclosed.

5. ☐ A check in the amount of \$ 740.00 is enclosed.

6. ☒ Cancel in this application original claims 5-9 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).

7. ☒ Amend the specification by inserting before the first line of the sentence: - this is a ☐ continuation, ☒ division, of application Serial No. 09/495,021, filed January 31, 2000.

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by §1.138 and before payment of base issue fee.)

9. ☒ New formal drawings are enclosed.

10. ☒ Priority of application serial no. 09/510,779, filed on February 23, 2000 in the United States of America, is claimed under 35 USC 119.

11. ☐ The prior application is assigned of record to _____.

10039722 123101

[X] The power of attorney in the prior application is to Frederick K. Lacher, Esq., c/o Ronald P. Yaist, Dept. D/823, The Goodyear Tire & Rubber Company 1144 East Market Street, Akron, Ohio 44316 and Registration No. 16,502.

12. a. [X] The power appears in the original papers in the prior application.

b. [] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. [X] Address all future communications to Frederick K. Lacher, c/o c/o Mr. Ronald P. Yaist Dept. D 823, The Goodyear Tire & Rubber Company, 1144 East Market Street, Akron, Ohio 44316

13. [X] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

14. [X] I hereby verify that the attached papers are a true copy of prior application serial no. 09/510,779, filed on February 23, 2000.

Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

__5__ Pages of specification

__1__ Pages of claims

__1__ Pages of Abstract

__4__ Sheets of drawing

__X__ formal

____ informal

WARNING: DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be

10062222000

NOTE: "Identifying indicia such as the serial number, group and unit, title of the invention, attorney's docket number, inventor's name, number of sheets, etc., not to exceed 2 3/4 inches (7.0 cm.) in width may be placed in a centered location between the side edges within three fourths inch (19.1 mm.) of the top edge. Either this marking technique on the front of the drawing or the placement, although not preferred, of this information and the title of the invention on the back of the drawings is acceptable." Proposed 37 CFR 1.84(1). Notice of March 9, 1988 (1090 O.G. 57-62).

X Preliminary Amendment

Form PTO-1449

Citations

Declaration of Biological Deposit

____ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

____ Authorization of Attorney(s) to Accept and Follow instructions from Representative

____ Special Comments

____ Other

17. Language

NOTE: An application including a signed oath or declaration may be filed in a language other than English. A verified English translation of the non-English language application and the processing fee of \$30.00 required by 3 CFR 1.17(k) is required to be filed with the application or within such time as may be set by the Office. 37 CFR 1.52(d).

NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 CFR 1.69(b).

☒ English

____ non-English

____ the attached translation is a verified translation. 37 CFR 1.52(d).

18. Assignment

____ An assignment of the invention to _____

____ is attached.

☒ will follow.

NOTE: "If an assignment is submitted with a new application, send two separate letters-one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).

19. Certified Copy

Certified copy(ies) of application(s)

1003221 22/62001

(country)	(appln. no.)	(filed)
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(country)	(appln. no.)	(filed)
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(country)	(appln. no.)	(filed)
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from which priority is claimed

_____ is (are) attached. A separate "ASSIGNMENT COVER LETTER
ACCOMPANYING NEW PATENT APPLICATION" is also attached.

_____ will follow.

NOTE: The foreign application forming the basis for the claim for priority must be referred to in the oath or declaration. 37 CFR 1.55(a) and 1.63.

NOTE: This item is for any foreign priority for which the application being filed directly relates.

If any parent U.S. application or International Application from which this application claims benefit under 35 U.S.C. 120 is itself entitled to priority from a prior foreign application then complete item 18 on the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

20. Authorization to Charge Additional Fees

WARNING: If no fees are to be paid on filing the following items should not be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

 X The Commissioner is hereby authorized to charge the following additional fees by this

10092246001

X 37 CFR 1.16(a), (f) or (g) (filing fees)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims canceled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

X 37 CFR 1.17 (application processing fees)

 X 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

NOTE: 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application... prior to paying, or at the time of paying...issue

fee." From the wording of 37 CFR 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

21. Instructions As To Overpayment

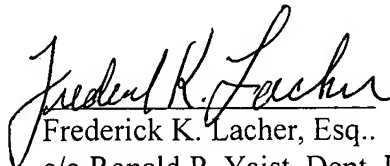
_____ credit Account No. _____

☒ refund

The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Reg. No. 16,502

Tel. No. (330) 535-9999



Frederick K. Lacher, Esq..
c/o Ronald P. Yaist, Dept. D 823
The Goodyear Tire & Rubber Company
1144 East Market Street
Akron, Ohio 44316

_____ Incorporation by reference of added pages

Check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

_____ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed

FOR REF. 226001

Number of pages added _____

____ Plus Added Pages For Papers Referred To In item 4 above

Number of pages added _____

____ Plus "Assignment Cover Letter Accompanying New Application"

Number of pages added _____

____ Statement Where No Further Pages Added

(If no further pages form a part of this Transmittal then end this Transmittal with this page and check the following item)

__X__ This transmittal ends with this page.

Enclosure: Copy of Application as Filed

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"PT 22" 22/01